T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			23-Jul-07	APPL. S. N:	10748573					
To Exami	ner:		OSORIO, RICARDO L.	Art Unit	2629					
From			Gunter-Riley, Joyce PARALEGAL SPCECIALIST	Return This Memo To: Case Drop-Off Location	JEF-2D68					
SUBJECT	: Decisio	n on Termina	al Disclaimer(T.D.) filed:							
INSTRUCTIONS: I have reviewed the submitted T.D. with the results as set forth below. If you agree, please use the appropriate form paragraphs identified by this informal memo in your next Office action to notify applicant of the T.D. If you disagree or have any questions, please see me or the Special Program Examiner. THIS IS AN INFORMAL, INTERNAL MEMO ONLY. IT MUST NOT BE (1) MAILED TO APPLICANT OR (2) PLACED OF RECORD IN THE APPLICATION FILE. When your action is complete,										
please initial, date and return this memo to me. THANK YOU.										
$\overline{\mathbf{Q}}$	The T.D.	e T.D. is PROPER and has been recorded (see 14.23).								
	The T.D.	e T.D. is NOT PROPER and has not been accepted for the reason(s) checked below (see 14.24):								
		The TD fee o	,,	d nor is there any authorization in	n the application file for the					
	The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).									
			ks the enforceable only during cor nting rejection, Rule 321(b) (see 1		to overcome a non-statutory					
			firected to a particular claim(s), we term of the entire patent to be o							
		The person v	who signed the T.D.:							
		is r	not an attorney "of record" (see 14	4.29 and 14.29.01).						
		☐ has	s failed to state his/her capacity to	sign for the business entity (see	: 14.28).					
		is r	not recognized as an officer of the	assignee (see 14.29 & possible 1	.4.29.02).					
		No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).								
		The T.D. is r	not signed (see 14.26 & 14.26.03)							
patenting reje			umber of the application (or the nu jection is missing or incorrect (see	or the number of the patent) which forms the basis for the double rect (see 14.32).						
			nber of this application (or the number of the patent in reexam or reissue cases being missing or incorrect (see 14.26, 14.27.02 or 14.26.05).							
		The period d	lisclaimed is incorrect or not speci	fied (see 14.26, 14.27.02 or 14.2	6.03).					
		Other:			<u> </u>					
			to request refund (see 14.36). NO	TE: If already authorized, credit r	efund to deposit account					
I have appropriately notified applicant(s) of the status of the Terminal Disclaimer filed in this case.										
Ex.Initials:		Da	te:		Log Date:					

Application Number	Application/Control No.		Applicant(s)/Patent under Reexamination GEAGHAN ET AL.					
Document Code - DISQ		Internal Doc		cument – DO NOT MAIL				
TERMINAL DISCLAIMER	☑ APPROV	□ APPROVED		☐ DISAPPROVED				
Date Filed : July 10, 2007	This patent is subject to a Terminal Disclaimer							
Approved/Disapproved by:								
Henry D. Jefferson								
1								

U.S. Patent and Trademark Office

Case No.: 58984US002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor:

GEAGHAN, BERNARD O.

Application No.:

10/748573

Confirmation No.:

8076

Filed:

December 30, 2003

Title:

TOUCH SENSOR WITH LINEARIZED RESPONSE

TERMINAL DISCLAIMER UNDER 37 CFR § 1.321

I hereby certify that this correspondence is being:

Mail Stop: Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

□ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at 571-273-8300.

 transmitted to United States Patent and Trademark Office on the date shown below via the Office electronic filing system.

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR § 1.8(a)]

July 10, 2007

/Shannon M. Bruce/

Date

Signed by: Shannon M. Bruce

Dear Sir:

Petitioner, 3M Innovative Properties Company, a corporation of the State of Delaware having a place of business at 3M Center, St. Paul, MN, represents that it is the exclusive owner of the entire interest in the above-identified application (referred to as the "Subject Application") by virtue of an assignment recorded at Reel 015090, Frame 0839, on August 30, 2004. Petitioner further represents that it is the exclusive owner of the entire interest in U.S. Patent No. 7,227,538 (referred to as the "Prior Patent"), by virtue of an assignment recorded at Reel 014820, Frame 0624, on July 6, 2004.

Petitioner disclaims the terminal part of any patent granted on the Subject Application (referred to as a "Subject Patent") which would extend beyond the expiration date of the full statutory term, as defined in 35 USC §§ 154 to 156 and 173 and as presently shortened by any terminal disclaimer, of the Prior Patent. Petitioner hereby agrees that the Subject Patent shall be enforceable only for and during such period that the legal title to such patent and the Prior Patent are commonly owned. This agreement is to run with the Subject Patent and to be binding upon the grantee, its successors, or assigns.

Docket No.: 58984US002 USSN: 10/748573

In making the above disclaimer, Petitioner does not disclaim any terminal part of any Subject Patent that would extend to the expiration date of the full statutory term as defined in 35 USC §§ 154 to 156 and 173 of the Prior Patent, as presently shortened by any terminal disclaimer, in the event such Prior Patent later: (1) expires for failure to pay a maintenance fee; (2) is held unenforceable or is found invalid by a court of competent jurisdiction; (3) is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321; (4) has all claims canceled by a reexamination certificate; (5) is reissued; or (6) is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Documents establishing the chain of title of the Subject Application and of the Prior Patent (including the aforementioned assignments and recording locations) have been reviewed and I certify that, to the best of my knowledge and belief, title is in Petitioner.

I declare that all statements made herein of my own knowledge are true and that all statements made herein on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under 18 USC § 1001 and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing thereon.

Fees

- Please charge any additional fees associated with the prosecution of this application to Deposit Account No. 13-3723. This authorization includes the fee for any necessary extension of time under 37 CFR § 1.136(a). To the extent any such extension should become necessary, it is hereby requested.
- Please credit any overpayment to the same deposit account.

Respectfully submitted,

July 10, 2006

By: /Robert J. Pechman/

Date

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Robert J. Pechman, Reg. No.: 45,002 Telephone No.: 651-737-0631

Office of Intellectual Property Counsel 3M Innovative Properties Company

Facsimile No.: 651-736-3833